



13281 U.S. PTO

January 9, 2004

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UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket Number: **544492000210**

First Named Inventor: **Jenny E. Freeman, et al.**

Title: **INFRARED ENDOSCOPIC BALLOON PROBES**

TO: **BOX PATENT APPLICATION**
Commissioner for Patents
Alexandria, Virginia 22313-1450

22581 U.S. PTO
10/753871



Sir:

Attached are the following for filing with the U.S. Patent and Trademark Office:

1. ☒ Specification - Total Pages: 51 (Including Abstract)

CLAIMS AS FILED						
	Claims Filed	Basic Fee Claims	Extra	Rate		Amount
				Large Entity	Small Entity	
Total Claims	72	20	52	\$ 18.00	\$ 9.00	\$ 468.00
Independent Claims	7	3	4	\$ 86.00	\$ 43.00	\$ 172.00
First Presentation of Multiple Dependent Claims				\$ 290.00	\$ 145.00	\$ 0.00
BASIC FEE				\$ 770.00	\$ 385.00	\$ 385.00
TOTAL FILING FEE						\$ 1025.00

3. ☒ Drawings - Total Sheets: 1 (Fig(s). 1-4)

4. Oath or Declaration - Total Pages: 5

- a. ☐ Newly executed (original or copy)
☐ New (unexecuted)

- b. ☒ Copy from a prior application
(for continuation/divisional with Box 17 completed)

- i. ☒ DELETION OF INVENTOR(s):
Signed statement attached deleting inventor(s) named in prior application.

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5. ☐ Incorporation By Reference (useable if Box 4b is marked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies
8. ☐ Assignment and Assignment Recordation Form
9. ☐ 37 C.F.R. 3.73(b) Statement ☒ Power of Attorney
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement with PTO-1449 and References
- ☐ Copies of Information Disclosure Statement Citations
12. ☒ Preliminary Amendment
13. ☒ Return Receipt Postcard
14. ☒ Small Entity Status Claimed: ☐ Independent Inventor
☒ Small Business Concern
☐ Non-Profit Organization
- ☐ Statement Enclosed
- ☐ Statement Filed in Prior Application; Status Still Proper and Desired
15. ☐ Foreign Priority is Claimed as Follows:

- ☐ If Foreign Priority is Claimed, Certified Copy of the Above Priority Document(s) is Submitted Herewith
16. ☒ Other: Request to Delete Inventor
17. ☐ Continuation ☐ Divisional ☒ Continuation-in-Part of

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Prior Application No.: 09/389,342 filed September 2, 1999

☒ Complete Application Based on Provisional Application No.: 60/098,957,
filed September 3, 1998.

18. ☒ A new power of attorney or authorization of agent (PTO/SB/81) is as follows:
- ☒ The power of attorney is to: James Remenick, Registration No. 36,902; Barry E. Bretschneider, Registration No. 28,055; Alex Chartove, Registration No. 31,942; Peter J. Davis, Registration No. 36,119; Scott W. Doyle, Registration No. 36,915; Kevin R. Spivak, Registration No. 43,148; Wayne C. Jaeschke, Jr., Registration No. 38,503; Jonathan Bockman, Registration No. 45,640; and Raj S. Davé, Registration No. 42,46519. Please address all correspondence to:
- ☒ **CUSTOMER NUMBER** 25227
- ☒ Please address all correspondence to:

James Remenick
Intellectual Property Department
Morrison & Foerster LLP
1650 Tyson's Boulevard, Suite 300
McLean, Virginia 22102

20. ☐ The Commissioner is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to **Deposit Account No.** _____.
- ☒ **Applicant awaits receipt of the Notice to File Missing Parts to submit filing fees.**

Respectfully submitted
Morrison & Foerster LLP,

By: _____

James Remenick
Registration No. 36,902

JR/vv
Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Group Art Unit: To be assigned
)	Examiner: To be assigned
J.E. Freeman et al.)	
)	<u>Parent Appl. Information:</u>
Application No.: To be assigned)	Appl. No. 09/389,342
)	Group Art Unit: 3737
Filed: January 9, 2004)	Examiner: Ruth S. Smith

Title: INFRARED ENDOSCOPIC BALLOON PROBES

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST TO DELETE INVENTOR UNDER 37 C.F.R. §1.48(b)

Applicant respectfully requests that the inventorship of the above-captioned patent application be amended to delete Dr. E. Neil Lewis as an inventor of the claims.

This change is requested following the submission of a Preliminary Amendment concurrently herewith amending and canceling certain claims. Upon entry of that Amendment, the pending claims will no longer contain an inventorship contribution of Dr. Lewis.

Please charge the requisite processing fee of \$130 for this request to Deposit Account No. 03-1952.

Appl. No. To be assigned

Attorney Docket No. 54449-20002.10

If there are any additional fees due with the filing of this Request, including any fees for an extension of time, applicant respectfully requests that extension and further requests that any and all such fees be charged to Deposit Account No. 03-1952.

Respectfully submitted
MORRISON & FOERSTER, LLP,

Date: January 9, 2004

By: _____

James Remenick
Registration No. 36,902

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